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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Kenichi MIYOSHI et al. Group Art Unit: 2682

Appln. No.: 10/069,396 Examiner: T. A. Tran

Filed: February 26, 2002

For: RADIO BASE STATION APPARATUS AND RADIO
COMMUNICATION METHOD

RESPONSE UNDER 37 CFR § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 6, 2005, the Applicants respectfully request reconsideration and allowance of this application in light of the following remarks.

Claims 10-18 stand rejected, under 35 USC §103(a), as being unpatentable over Akaiwa et al. (US 5,710,995) in view of Scherzer (US 6,347,234) and Kohno et al. (US 6,763,062). The Applicants respectfully traverse these rejections based on the following points.

Features of the invention defined by independent claims 10 and 17 include selecting either directional reception or diversity reception based on a propagation fading correlation and